

EXHIBIT A



WHEAT GROWS UP WE TAKE DOWN
GRAMERCY
WRECKING AND ENVIRONMENTAL CONTRACTORS

3000 Burns Ave Wantagh, NY 11793
(516) 876-0020 Fax (516) 876-0021

March 25, 2019

VIA HAND DELIVERY

New York City Corporation Counsel
100 Church Street
New York, NY 10007

Project: Demolition of DSNY Facilities at Gansevoort Peninsula
Contract: S216-404A
Contract Reg. No.: 20151416817
RE: Notice of Claim - Delay Claim

Attached hereto, please find Gramercy Group, Inc.'s Notice of Claim on the referenced Contract, a copy of which has been served upon the New York City Comptroller.

Sincerely,

Marie Ann Hoehnings, Esq.
General Counsel

cc: New York City Department of Design and Construction

RECEIVED
NEW YORK CITY
DEPARTMENT OF
DESIGN AND
CONSTRUCTION
MAR 27 2019

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2019 APR -3 A 11:42

NEW YORK CITY
DEPARTMENT OF
DESIGN AND
CONSTRUCTION
CORP. COUNSEL
COMMUNICATIONS UNIT

WHAT GOES UP, WE TAKE DOWN

GRAMERCY
WRECKING AND ENVIRONMENTAL CONTRACTORS

3000 Burns Ave Wantagh, NY 11793
(516) 876-0020 Fax (516) 876-0021

March 25, 2019

VIA HAND DELIVERY

New York City Comptroller
1 Center Street
Division of Law – 1225 South
New York, NY 10007

Project: Demolition of DSNY Facilities at Gansevoort Peninsula

Contract: S216-404A

Contract Reg. No.: 20151416817

RE: Notice of Claim - Delay Claim

Gramercy Group Inc., ("Gramercy") on December 12, 2018 submitted a claim for Delay Damages pursuant to Article 11 of the referenced Contract. On January 11, 2019, the Assistant Commissioner advised that due to the complex issues raised, a determination cannot be reached within the 60 days required by the Contract. Therefore, the claim was denied, and we were instructed to file a Notice of Claim with your office. Gramercy hereby makes this submission as our Notice of Claim pursuant to New York City Dept. of Design & Construction (DDC) on the above contract.

Due to these referenced unforeseen circumstances, none of which were in Gramercy's control, the Gansevoort project was delayed six hundred thirty-six (636) consecutive calendar days, however actual duration of delays from contract end date to substantial completion was five hundred twenty (520) consecutive calendar days. The following is the monetary claim for the delay that was submitted to the Department of Design and Construction and for which Gramercy seeks to be compensated.

1. General Conditions after March 21, 2017:
 - a. Contract extension date was March 21, 2017. General Conditions continued until the substantial completion date of August 23rd, 2018. This work impacted three hundred seventeen (317) consecutive calendar days, and is more fully set forth in the specific items broken out in detail below.

Subcontractor	Days of Delay	Subtotal
Streamline Security	317	\$ 99,939.75
Safety and Quality Plus Inc. - Safety	317	\$ 139,122.61
Vibranalysis - Vibration Monitoring	317	\$ 39,731.68
Bernstein Associates - Photographer	317	\$ 7,937.65
Cassone Leasing - Trailers	317	\$ 8,488.96
Mr. John - Trailer Bathroom Facilities	317	\$ 16,349.01
CallAHead - Security Booth	317	\$ 4,492.24
	Subtotal	\$ 316,061.90
	OH&P	\$ 74,274.55
	Total	\$ 390,336.45

2. Electrical Cutoffs Entire Site:

- a. On April 9th, 2017 the Department of Design and Construction ("DDC") sent a letter to Con Ed notifying Con Edison ("Con Ed") to undertake the electric disconnects to the Destructor Plant. Please be advised that Con Ed did not supply the disconnect letter to Liro until July 25, 2017. The forgone resulted in a one hundred eight (108) consecutive calendar day delay.

Subcontractor	Days of Delay	Subtotal
Streamline Security	108	\$ 34,048.87
Safety and Quality Plus Inc. - Safety	108	\$ 47,398.24
Vibranalysis - Vibration Monitoring	108	\$ 13,536.35
Bernstein Associates - Photographer	108	\$ 2,704.31
Cassone Leasing - Trailers	108	\$ 2,892.14
Mr. John - Trailer Bathroom Facilities	108	\$ 5,570.01
CallAHead - Security Booth	108	\$ 1,530.48
	Subtotal	\$ 107,680.39
	OH&P	\$ 25,304.89
	Total	\$ 132,985.29

- b. Friday August 11th, Gramercy received an email from Liro and Con Ed that the transformers were clear to be removed. On Tuesday August 15th, Gramercy started to remove the transformers at which time a live cable, which was unknown to Con Ed, was discovered and by order of the Fire Department of the City of New York ("FDNY") work was stopped.

Con Ed cut the live electrical cable August 22nd. A site meeting was held on August 29th with Con Ed to understand how the disconnect letter could be issued with a live feed remaining and to confirm that there were no other live feeds at the Project so as to ensure that the site was safe. The foregoing resulted in a fifteen (15) consecutive day delay.

Subcontractor	Days of Delay	Subtotal
Streamline Security	15	\$ 4,729.01
Safety and Quality Plus Inc. - Safety	15	\$ 6,583.09
Vibranalysis - Vibration Monitoring	15	\$ 1,880.05
Bernstein Associates - Photographer	15	\$ 375.60
Cassone Leasing - Trailers	15	\$ 401.69
Mr. John - Trailer Bathroom Facilities	15	\$ 773.61
CallAHead - Security Booth	15	\$ 212.57
	Subtotal	\$ 14,955.61
	OH&P	\$ 3,514.57
	Total	\$ 18,470.18

3. FDNY Demo Destructor Plant Stop of Work:

Gramercy obtained approved demolition plans from DOB September 2015 in which the BEST SQUAD directed Gramercy to close the north entrance to comply with Building Code requirements. More specifically, the destructor plant's close proximity to the north entrance required the north entrance to be closed in order to comply with the height to length ratio required by the New York City Building Code (§3306.2.1).

The approved plans were reviewed once again with the DDC, Liro, FDNY, Gramercy, as well as the Secret Service and Homeland Security on August 7th 2017, at which time the closure and demolition plan again was discussed without objection from any party.

The work to close the north entrance started on September 8th, 2017 and was stopped immediately by FDNY. Work was not allowed to begin again until September 25th, 2017. This work impacted eighteen (18) consecutive calendar days.

Streamline Security	18	\$ 5,674.81
Safety and Quality Plus Inc. - Safety	18	\$ 7,899.71
Vibranalysis - Vibration Monitoring	18	\$ 2,256.06
Bernstein Associates - Photographer	18	\$ 450.72
Cassone Leasing - Trailers	18	\$ 482.02
Mr. John - Trailer Bathroom Facilities	18	\$ 928.33
CallAHead - Security Booth	18	\$ 255.08
Subtotal		\$ 17,946.73
OH&P		\$ 4,217.48
Total		\$ 22,164.21

4. HRPT Sand Backfill Approval:

Gramercy obtained approved sand from one facility approved by HRPT in October 2016 that was located in East Quogue, NY. Sand from multiple other facilities were submitted which included material that was very similar to the approved material, but that as well as all other proposed sand facilities were rejected. When the material was ultimately requested previously approved facility indicated at most, it could provide only one load of sand per day, if it could provide it at all. This would have delayed the project at least seven months. In the interim, another facility was submitted to DDC and approved on February 1st, 2018 and approved April 12th, 2018, however, the process delayed the work seventy-one (71) consecutive calendar days.

Subcontractor	Days of Delay	Subtotal
Streamline Security	71	\$ 22,383.98
Safety and Quality Plus Inc. - Safety	71	\$ 31,159.95
Vibranalysis - Vibration Monitoring	71	\$ 8,898.89
Bernstein Associates - Photographer	71	\$ 1,777.83
Cassone Leasing - Trailers	71	\$ 1,901.31
Mr. John - Trailer Bathroom Facilities	71	\$ 3,661.76
CallAHead - Security Booth	71	\$ 1,006.15
Subtotal		\$ 70,789.89
OH&P		\$ 16,635.62
Total		\$ 87,425.51

5. Unknown underground Fuel Tanks

Gramercy was removing soil from the south side destructor plant area on May 10th, 2018 when two previously unknown concrete encased tanks approximately 10,000 gallons each were discovered. The tanks required the following additional work items:

- Expose the tanks and remove concrete encasement
- Remove product from tanks (both of them were completely fulfilled with fuel)
- Register Tanks with DEC
- Remove Tanks
- End point soil samples underneath tanks for any leaks and testing of same
- Soil Remediation of contaminated soil due to leaks in tanks
- Excavation of surrounding area to a point where soil appeared seemed clean for re-testing
- Dewatering and filtering of ground water during excavation
- Redo end point soil sampling
- Backfill area
- Tank Closure report sent to DEC

This work finished August 2nd, 2018. The total time spent on this item was eighty- four (84) consecutive calendar days.

Subcontractor	Days of Delay	Subtotal
Streamline Security	84	\$ 26,482.46
Safety and Quality Plus Inc. - Safety	84	\$ 36,865.30
Vibranalysis - Vibration Monitoring	84	\$ 10,528.27
Bernstein Associates - Photographer	84	\$ 2,103.35
Cassone Leasing - Trailers	84	\$ 2,249.44
Mr. John - Trailer Bathroom Facilities	84	\$ 4,332.23
CallAHead - Security Booth	84	\$ 1,190.37
Subtotal		\$ 83,751.42
OH&P		\$ 19,681.58
Total		\$ 103,433.00

6. Balance of work to complete after underground fuel tanks

Once the tank work was completed as detailed in item 5 on August 2nd, 2018, the balance of the contract work in that area needed to be completed which took until substantial completion.



March 20th, 2017

HON. Dr. Feniosky Peña-Mora
Department of Design and Construction
30-30 Thomson Avenue 4th Floor
Long Island, City, New York 11101

RE: S216-404A –Gansevoort Peninsula Time Extension Letter No Claim
Contract Reg. No. 20151416817

Dr. Peña-Mora:

We hereby request an extension of contract time on the above contract from March 22, 2017 to October 31, 2017 a total of 224 calendar days. I understand that any contract time extension granted under this request will automatically cease and terminate on the day prior to Substantial Completion of this contract. This application for an extension of time is based on the following:

This application for an extension of time is based on the following:

1. Start of Work:
 - a. Contract start date was March 23, 2015. DSNY did not vacate the premises and allow Gramercy to start work until December 16th, 2015. This work impacted two hundred sixty nine (269) consecutive calendar days.
2. Gas Utility Cutoffs M5 Garage:
 - a. Utility cutoffs were to be performed for the M5 Garage on July 14th, 2015. DSNY did not turn over the gas utilities to Gramercy to obtain utility cutoffs until February 10th, 2016. This work impacted two hundred twelve (212) consecutive calendar days.
3. Gas Utility Cutoffs Entire Site:
 - a. Gas utility cutoffs were to be performed by November 5, 2015. Con Ed gas shutoff wasn't until April 16th, 2016. This work impacted one hundred sixty three (163) consecutive calendar days.
4. MTS & Ramp Demolition Permit:
 - a. The Army Corp & DEC Letters required to file the MTS building permit application were due from the owner on December 5 2015. Army Corp & DEC Letters submitted April 13th, 2016 from owner. This work impacted one hundred thirty (130) consecutive calendar days.

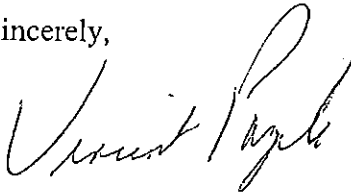
In consideration of the granting, for the purpose of expediting payment, by the Board of Extension of Contract Time, of an extension of contract time fixed in Contract Registration

Number **20151416817** for the completion of work therein specified, we agree to and do hereby waive and release any and all claims, including but not limited to damages for delay or any other cause whatsoever, which we may have against The City of New York, in connection with the aforesaid contract, except: None.

I, or we, will at the time of request for an extension of time for a substantial or final payment, prepare and furnish a verified itemized statement of claims in accordance with the terms of the contract.

It is understood that the City of New York does not, if the extension of time is granted, waive or release any claim it may have against the contractor whether it be for actual or liquidated damages for any reason whatsoever. I understand that this time extension will be granted only for the purpose of permitting the continuation of work.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent Pariziale". The signature is fluid and cursive, with a large, stylized initial "V".

Vincent Pariziale
President/CEO
Gramercy Group, Inc.

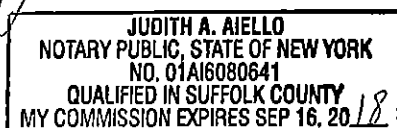
RE: S216-404A –Gansevoort Peninsula Time Extension Letter No Claim
Contract Reg. No. 20151416817

ACKNOWLEDGEMENT BY CORPORATION

State of New York }
County of Nassau } ss:

On this 20th day of March, 2017, before me personally came Vincent Parziale, to me known who begin by me duly sworn, did depose and say that he/she resides in the City of Syosset, New York, and that he/she is the President of the Gramercy Group, Inc., the corporation described in and which executed the foregoing instrument: that he/she knows the seal of said corporation: that the seal affixed to the said instrument is such corporate seal: that it was so affixed by order of the Board of Director of said corporation: and that he/she signed his/her name thereto by like order.

Notary Public



Gramercy Group, Inc.
3000 Burns Avenue | Wantagh, New York 11793
P 516-876-0020 | F 516-876-0021 | www.gramercyusa.com

WHAT GOES UP...WE TAKE DOWN



March 7th, 2017

HON. Dr. Feniosky Peña-Mora
Department of Design and Construction
30-30 Thomson Avenue 4th Floor
Long Island, City, New York 11101

RE: S216-404A –Gansevoort Peninsula Time Extension Letter No Claim
Contract Reg. No. 20151416817

Dr. Peña-Mora:

We hereby request an extension of contract time on the above contract from March 22, 2017 to March 16, 2018 a total of 360 calendar days. I understand that any contract time extension granted under this request will automatically cease and terminate on the day prior to Substantial Completion of this contract. This application for an extension of time is based on the following:

This application for an extension of time is based on the following:

1. Start of Work:
 - a. Contract start date was March 23, 2015. DSNY did not vacate the premises and allow Gramercy to start work until December 16th, 2015. This work impacted two hundred sixty nine (269) consecutive calendar days.
2. Gas Utility Cutoffs M5 Garage:
 - a. Utility cutoffs were to be performed for the M5 Garage on July 14th, 2015. DSNY did not turn over the gas utilities to Gramercy to obtain utility cutoffs until February 10th, 2016. This work impacted two hundred twelve (212) consecutive calendar days.
3. Gas Utility Cutoffs Entire Site:
 - a. Gas utility cutoffs were to be performed by November 5, 2015. Con Ed gas shutoff wasn't until April 16th, 2016. This work impacted one hundred sixty three (163) consecutive calendar days.
4. MTS & Ramp Demolition Permit:
 - a. The Army Corp & DEC Letters required to file the MTS building permit application were due from the owner on December 5 2015. Army Corp & DEC Letters submitted April 13th, 2016 from owner. This work impacted one hundred thirty (130) consecutive calendar days.

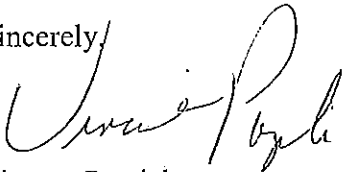
In consideration of the granting, for the purpose of expediting payment, by the Board of Extension of Contract Time, of an extension of contract time fixed in Contract Registration

Number **20151416817** for the completion of work therein specified, we agree to and do hereby waive and release any and all claims, including but not limited to damages for delay or any other cause whatsoever, which we may have against The City of New York, in connection with the aforesaid contract, except: None.

I, or we, will at the time of request for an extension of time for a substantial or final payment, prepare and furnish a verified itemized statement of claims in accordance with the terms of the contract.

It is understood that the City of New York does not, if the extension of time is granted, waive or release any claim it may have against the contractor whether it be for actual or liquidated damages for any reason whatsoever. I understand that this time extension will be granted only for the purpose of permitting the continuation of work.

Sincerely,

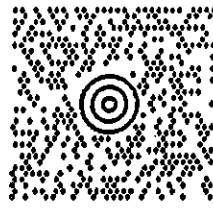
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Vincent Parziale
President/CEO
Gramercy Group, Inc.

WHAT GOES UP...WE TAKE DOWN

FROM:
JUDITH AIELLO
(212) 876-0020
GRAMERCY GROUP INC.
3000 BURNS AVE
WANTAGH NY 11793-3202

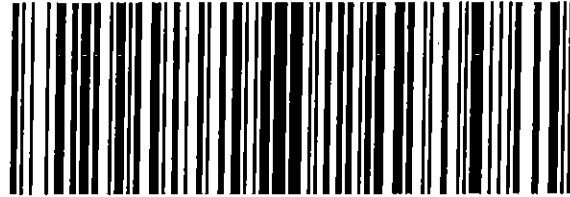
LTR 1 OF 1

**NY 111 0-07****SHIP TO:**

HON. FENIOSKY PENA-MORA
(212) 504-4115
NYC DEPT. OF DESIGN & CONSTRUCTION
4TH FLOOR
30-30 THOMSON AVENUE
LONG ISLAND CITY NY 11101

UPS NEXT DAY AIR

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WORKS OF THE CITY OF NEW YORK
GRAMERCY
VICE PRESIDENT OF THE CITY OF NEW YORK
3000 Burns Ave Wantagh, NY 11793
(516) 876-0020 Fax (516) 876-0021

October 20th, 2017

Hon. Ana Barrio
Department of Design and Construction
30-30 Thomson Avenue 4th Floor
Long Island, City, New York 11101

RE: S216-404A –Gansevoort Peninsula Time Extension Letter No Claim
Contract Reg. No. 20151416817

Ms. Barrio:

We hereby request an extension of contract time on the above contract from October 31, 2017 to April 30, 2018 a total of 182 calendar days. This application for an extension of time is based on the following:

Previously Gramercy submitted a time extension letter on March 21, 2017 which requested a 774 calendar day extension. (A copy of the March 21, 2017 letter is attached and incorporated by reference). An extension was only granted to October 31, 2017.

This application renews the prior request and makes a further request for an extension of time based on the following:

1. Electrical Cutoffs Entire Site:

- a. On February 22nd, 2017 DDC sent a letter to Con Ed notifying Con Ed to perform the electric disconnects on March 17, 2017 to the Destructor Plant. Please be advised that Con Ed did not supply the disconnect leader to Liro until July 25, 2017. (130 day delay)
- b. On Monday July 17th, in preparation for the continued demolition at the site, DDC and Liro directed Gramercy to remove the transformers from the Con Edison vault as they have been drained of PCB's. Gramercy contacted Con Edison for information regarding the weight of the transformer. Gramercy was advised by Con Ed that the transformers could still have PCB's and therefore could not be removed and as a result work could not proceed.
- c. Friday August 11th, Gramercy received an email from Liro and Con Ed that the transformers were clear to be removed. On Tuesday August 15th Gramercy started to remove the transformers at which time a live cable, which was unknown to Con Ed, was discovered and work had to stop, by the order of the FDNY.

- d. Con Ed cut the live electrical cable August 22nd. A site meeting was held on August 29th with Con Edison to understand how the disconnect letter could be issued with a live feed remaining and to confirm that there were no other live feeds at the project so as to ensure that the site was safe. (35 day delay).

Due to these above unforeseen circumstances, none of which were in Gramercy's control, the Gansevoort project has been delayed and additional one hundred sixty six (166) consecutive calendar days.

2. FDNY Demo Destructor Plant Stop of Work:

- a. Gramercy obtained approved demolition plans from DOB September 2015 in which the BEST SQUAD directed Gramercy to close the north entrance as a result of the Building Code requirements, in that, the destructor plant's close proximity to the north entrance required the north entrance to be closed in order to comply with the height to length ratio required by the New York City Building Code (3306.2.1).
- b. The approved plans were reviewed August 7, 2017, once again, with the DDC, Liro, FDNY, Gramercy, as well as the Secret Service and Homeland Security, at which time the closure and demolition plan was discussed once again, without objection from any party.
- c. The work to close the north entrance started on September 8th, 2017 and was stopped immediately by FDNY. Work was not allowed to begin again until September 25th, 2017. This work impacted fifteen (15) consecutive calendar days.

Thus, the total delay for these items above is one hundred eighty one (181) consecutive calendar days. In light of the foregoing, as well as the prior extension request, Gramercy requests an extension of time to April 30th, 2018.

Further, attached hereto is a Bill of Particulars setting forth Gramercy's claims, which we intend to assert under the terms of the contract:


- Costs associated with the items above - \$44,581.54
- Anticipated costs related to necessary time extension - \$185,619.72

In consideration of the granting, for the purpose of expediting payment, by the Board of Extension of Contract Time, of an extension of contract time fixed in Contract Registration Number **20151416817** for the completion of work therein specified, we agree to and do hereby waive and release any and all claims, including but not limited to damages for delay or any other cause whatsoever, which we may have against The City of New York, in connection with the aforesaid contract, except the items of claim which are hereby reserved and are set forth in the annexed Bill of Particulars.

I, or we, will at the time of request for an extension of time for a substantial or final payment, prepare and furnish a verified itemized statement of claims in accordance with the terms of the contract.

It is understood that the City of New York does not, if the extension of time is granted, waive or release any claim it may have against the contractor whether it be for actual or liquidated damages for any reason whatsoever.

Sincerely,

A handwritten signature in dark ink, appearing to read "Vin Parizide", is written over the printed name.

Vincent Parizide

President/CEO

Gramercy Group, Inc.



March 20, 2018

Hon. Ana Barrio
Department of Design and Construction
30-30 Thomson Avenue 4th Floor
Long Island, City, New York 11101

RE: S216-404A –Gansevoort Peninsula Time Extension Letter With Claim
Contract Reg. No. 20151416817

Ms. Barrio:

We hereby request an extension of contract time on the above contract from March 22, 2018 to May 31, 2018, a total of 71 calendar days. I understand that the contract time extension granted under this request will automatically cease and terminate on the day prior to substantial completion of this contract. This application for an extension of time is based on the following:

HRPT Sand Backfill Approval:

Gramercy obtained approved Sand from only one facility approved by HRPT in October 2016 that was located in East Quogue, NY. Multiple other facilities were submitted which included material that was very similar to the approved material, but that as well as all other proposed sand facilities were also rejected. Since the time of the approval, the previously approved facility indicated that at most, it could only provide one load of sand per day, if at all. This would have delayed the project at least seven months. In the interim, another facility was submitted to DDC and approved, however, the process delayed the work seventy-one (71) consecutive calendar days.

Thus, the total delay for this item is seventy-one (71) consecutive calendar days.

In light of the item identified above, as well as those set forth in the prior extension request, Gramercy requests an extension of time to May 31st, 2018.

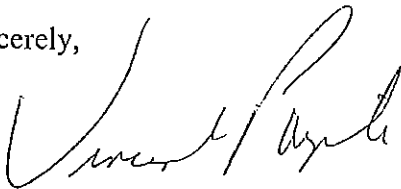
In consideration of the granting, for the purpose of expediting payment, by the Commissioner of Design and Construction, of an extension of contract time fixed in Contract Registration Number **20151416817** for the completion of work therein specified, we agree to and do hereby waive and release any and all claims, including but not limited to damages for delay or any other cause whatsoever, which we may have against The City of New York, in connection with the aforesaid contract except:

- Costs associated with the items above - \$44,581.54
- Anticipated costs related to necessary time extension - \$215,340.75

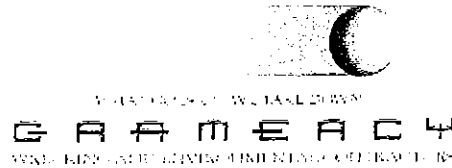
I, or we, will at the time of request for an extension of time for a substantial or final payment, prepare and furnish a verified itemized statement of claims in accordance with the terms of the contract.

It is understood that the City of New York does not, if the extension of time is granted, waive or release any claim it may have against the contractor whether it be for actual or liquidated damages for any reason whatsoever. I understand that this time extension will be granted only for the purpose of permitting the continuation of work.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent Parziale". The signature is fluid and cursive, with a large initial "V" and a stylized "P".

Vincent Parziale
President/CEO
Gramercy Group, Inc.



March 20, 2018

HON. Ana Barrio
Department of Design and Construction
30-30 Thomson Avenue 4th Floor
Long Island, City, New York 11101

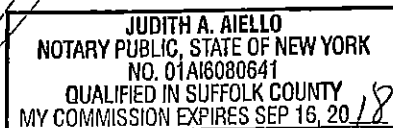
RE: S216-404A –Gansevoort Peninsula Time Extension Letter With Claim
Contract Reg. No. 20151416817

ACKNOWLEDGEMENT BY CORPORATION

State of New York }
County of Nassau } ss:

On this **20th** day of **March, 2018**, before me personally came **Vincent Parziale**, to me known who begin by me duly sworn, did depose and say that he/she resides in the City of **Syosset, New York**, and that he/she is the **President of the Gramercy Group, Inc.**, the corporation described in and which executed the foregoing instrument: that he/she knows the seal of said corporation: that the seal affixed to the said instrument is such corporate seal: that it was so affixed by order of the Board of Director of said corporation: and that he/she signed his/her name thereto by like order.

Notary Public



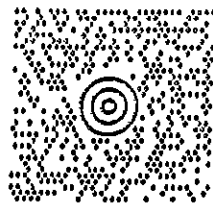
Gramercy Group, Inc.

3000 Burns Avenue | Wantagh, New York 11793
P 516-876-0020 | F 516-876-0021 | www.gramercyusa.com

WHAT GOES UP...WE TAKE DOWN

FROM:
JUDITH AIELLO
(516) 876-0020
GRAMERCY GROUP INC.
3000 BURNS AVE
WANTAGH NY 11793-3202

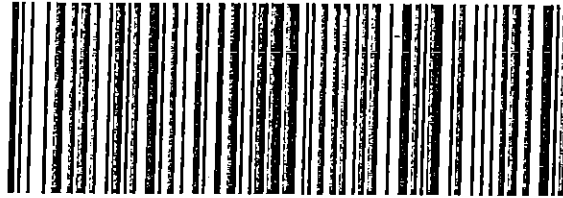
LTR 1 OF 1

**NY 111 0-07****SHIP TO:**

MS. ANA BARRIO, ACTING COMMISSIONER
(718) 291-2838
NYC DEPT. OF DESIGN & CONSTRUCTION
4TH FLOOR
30-30 THOMSON AVENUE
LONG ISLAND CITY NY 11101

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WHAT DOES IT MEAN FOR THE FUTURE?
GRAMERCY
WIRE-KING LAMP LITERARY & DESIGN CONSULTANTS
3000 Burns Ave Wantagh, NY 11793
(516) 876-0020 Fax (516) 876-0021

June 26, 2018

Hon. Ana Barrio
Department of Design and Construction
30-30 Thomson Avenue 4th Floor
Long Island, City, New York 11101

RE: S216-404A –Gansevoort Peninsula Time Extension Letter With Claim
Contract Reg. No. 20151416817

Ms. Barrio:

We hereby request an extension of contract time on the above contract from June 1, 2018 to August 31, 2018, a total of 92 calendar days. I understand that the contract time extension granted under this request will automatically cease and terminate on the day prior to substantial completion of this contract. This application for an extension of time is based on the following:

Unknown underground Fuel Tanks

Gramercy was removing soil from the south side destructor plant area when two previously unknown concrete encased tanks approximately 5,000 gallons each were discovered. The tanks required the following additional work items:

- Expose the tanks and remove concrete encasement
- Remove product from tanks (both of them were completely fulfilled with fuel)
- Register Tanks with DEC
- Remove Tanks
- End point soil samples underneath tanks for any leaks and testing of same
- Soil Remediation of contaminated soil due to leaks in tanks
- Excavation of surrounding area to a point where soil appeared seemed clean for re-testing
- Dewatering and filtering of ground water during excavation
- Redo end point soil sampling
- Backfill area
- Tank Closure report sent to DEC

Thus, the total time spent on the foregoing was ninety-two (92) consecutive calendar days requiring a time extension for the same duration.

In light of the item identified above, as well as those set forth in the prior extension requests, Gramercy requests an extension of time to August 31st, 2018.

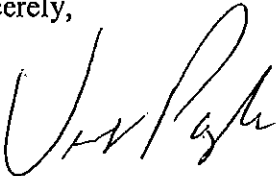
In consideration of the granting, for the purpose of expediting payment, by the Commissioner of Design and Construction, of an extension of contract time fixed in Contract Registration Number **20151416817** for the completion of work therein specified, we agree to and do hereby waive and release any and all claims, including but not limited to damages for delay or any other cause whatsoever, which we may have against The City of New York, in connection with the aforesaid contract, except:

- Costs associated with the items from previous time extensions - \$44,581.54
- Costs and anticipated costs related to necessary current and previous time extensions - \$306,935.02

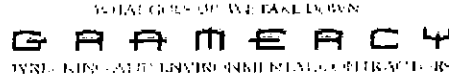
I, or we, will at the time of request for an extension of time for a substantial or final payment, prepare and furnish a verified itemized statement of claims in accordance with the terms of the contract.

It is understood that the City of New York does not, if the extension of time is granted, waive or release any claim it may have against the contractor whether it be for actual or liquidated damages for any reason whatsoever. I understand that this time extension will be granted only for the purpose of permitting the continuation of work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vin Parziale', written in a cursive style.

Vincent Parziale
President/CEO
Gramercy Group, Inc.



July 5, 2018

HON. Ana Barrio
Department of Design and Construction
30-30 Thomson Avenue 4th Floor
Long Island, City, New York 11101

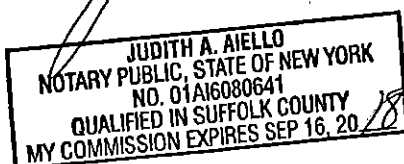
RE: S216-404A –Gansevoort Peninsula Time Extension Letter With Claim
Contract Reg. No. 20151416817

ACKNOWLEDGEMENT BY CORPORATION

State of New York }
County of Nassau } ss:

On this 5th day of July, 2018, before me personally came Vincent Parziale, to me known who begin by me duly sworn, did depose and say that he/she resides in the City of Syosset, New York, and that he/she is the President of the Gramercy Group, Inc., the corporation described in and which executed the foregoing instrument: that he/she knows the seal of said corporation: that the seal affixed to the said instrument is such corporate seal: that it was so affixed by order of the Board of Director of said corporation: and that he/she signed his/her name thereto by like order.

Notary Public

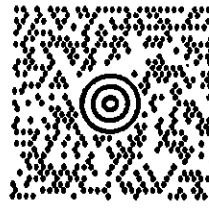


Gramercy Group, Inc.
3000 Burns Avenue | Wantagh, New York 11793
P 516-876-0020 | F 516-876-0021 | www.gramercyusa.com

WHAT GOES UP...WE TAKE DOWN

FROM:
JUDITH AIELLO
(516) 876-0020
GRAMERCY GROUP INC.
3000 BURNS AVE
WANTAGH NY 11793-3202

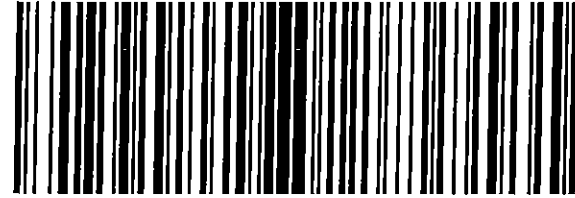
LTR 1 OF 1

**NY 111 0-07****SHIP TO:**

CHERIF FAHMY
(917) 742-7049
NYC DEPT. OF DESIGN & CONSTRUCTION
5TH FLOOR STATION 234
30-30 THOMSON AVENUE
LONG ISLAND CITY NY 11101

UPS NEXT DAY AIR

TRACKING #: 1Z V8E 687 01 4035 3643

1

BILLING: P/P

WS 18.034 RiCOH Afido 99.0A 04/2018

Fold here and place in label pouch

WHAT GOES UP...WE TAKE DOWN.

GRAMERCY
WRECKING AND ENVIRONMENTAL CONTRACTORS

3000 Burns Ave Wantagh, NY 11793
(516) 876-0020 Fax (516) 876-0021

November 7th, 2018

Hon. Lorraine Grillo
Department of Design and Construction
30-30 Thomson Avenue 4th Floor
Long Island, City, New York 11101

Project: Demolition of DSNY Facilities at Gansevoort Peninsula

Contract: S216-404A

Contract Reg. No.: 20151416817

Ms. Grillo:

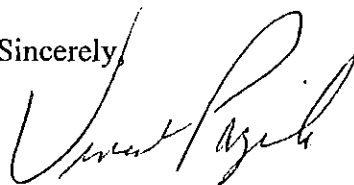
We hereby request an extension of contract time on the above contract from August 22, 2018 to August 23, 2018, a total of 1 calendar day. This application for an extension of time is based on the following: Completion of change order work

Attached hereto is a Bill of Particulars setting forth claims, which we intend to assert under the terms of the contract.

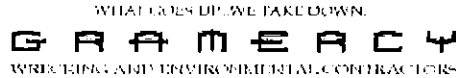
In consideration of the granting, for the purpose of expediting payment, by Board of Extension of Contract Time, of an extension of contract time fixed in Contract Registration Number **20151416817** for the completion of work therein specified, we agree to and do hereby waive and release any and all claims, including but not limited to damages for delay or any other cause whatsoever, which we may have against The City of New York, in connection with the aforesaid contract, except the items of claim which are hereby reserved and are set forth in the annexed Bill of Particulars

It is understood that the City of New York does not, if the extension of time is granted, waive or release any claim it may have against the contractor whether it be for actual or liquidated damages for any reason whatsoever.

Sincerely,



Vincent Parziale
President/CEO
Gramercy Group, Inc.

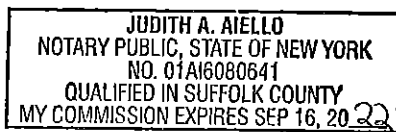


ACKNOWLEDGEMENT BY CORPORATION

State of New York }
County of Nassau } ss:

On this 7th day of November, 2018, before me personally came **Vincent Parziale**, to me known who begin by me duly sworn, did depose and say that he/she resides in the City of **Syosset, New York**, and that he/she is the **President** of the **Gramercy Group, Inc.**, the corporation described in and which executed the foregoing instrument: that he/she knows the seal of said corporation: that the seal affixed to the said instrument is such corporate seal: that it was so affixed by order of the Board of Director of said corporation: and that he/she signed his/her name thereto by like order.

Notary Public



Gramercy Group, Inc.
3000 Burns Avenue | Wantagh, New York 11793
P 516-876-0020 | F 516-876-0021 | www.gramercyusa.com

WHAT GOES UP...WE TAKE DOWN



Department of
Design and
Construction

Ana Barrio
Acting Commissioner

CERTIFICATE FOR PARTIAL EXCEPTIONAL TIME EXTENSIONS CONTRACT NO. T-4

CONTRACTOR: Gramercy Group, Inc. PROJECT: (S216-404A) Demo of all DSNY fac. at Gansevoort Peninsula

ADDRESS: 3000 Burns Avenue
Wantagh, NY 11793

CONTRACT: GC
CONTRACT REG. NO.: 20151416817

The time within which all work under the referenced contract shall be completed is hereby extended from June 01, 2018 to and including August 31, 2018 a total of 92 consecutive calendar day(s). However, this contract time extension will automatically cease and terminate on the day prior to substantial completion of the contract (or final completion if no substantial completion).

Contract Start Date:	March 23, 2015
Contract Duration:	730 ccd's
Original Completion Date:	March 21, 2017
Total Time Extension:	92 ccd's
New End Date:	August 31, 2018

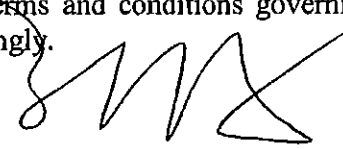
This extension of time is approved with the understanding that any claims heretofore waived by the Contractor shall not be revived by reason of this extension.

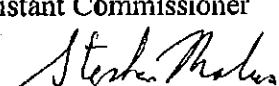
The City of New York grants this extension so as to expedite a payment to the Contractor and does not waive or release any claim it may have against the Contractor whether it be for actual or liquidated damages for any reason whatsoever. Also, it is understood that the time extension is granted only for the purpose of permitting continuation of contract performance.


This Extension of Contract Time is approved subject to all of the terms and conditions governing the above contract, and the contractor is hereby ordered to proceed accordingly.

Date: 08.15.18

Date: 8/15/18


Bogdan Peska, FAIA
Assistant Commissioner


Stephen Malusa
DACCO


GRAMACY
ARCHITECTURAL & ENGINEERING
 3000 Burns Avenue, Wantagh, NY 11793
 Tel. 516-876-0020, Fax. 516-876-0021

LETTER OF TRANSMITTAL

To: NYC Dept. of Design & Construction
30-30 Thomson Avenue, 4th Floor
L.I.C., NY 11101
Attn: Hon. Lorraine Grillo

Project: Gansevoort Peninsula, Manhattan
 Contract No.: S216-404A, PIN: 8502014TR0003C
 Date: December 12, 2018
 Transmittal No.: 63
 Re: Time Extension Letter

We are Forwarding to You: X Attached Under Separate Cover

The Following Item: _____
 (Plans, Shop Drawings, Reports, Samples, Other)

Via: UPS
 (Hand Delivery, US Mail, FedEx, Other)

No. Of	Submittal No.	Drawing No.	Spec. No.	Rev. No.	Item Description
1					Original Notice of Claim Letter with Backup

Transmitted:

Transmitted by:

 For Your Information Only
 X For Your Approval
 X For Your Use

Judith Aiello, Executive Assistant

December 12, 2018

Date

Remarks:

Thank you.

CC:

file

Received by: _____

Print Name: _____

_____ Date

WHAT DOES ONE TAKE DOWN
GRAMERCY
 WHEN KICKING OFF ENVIRONMENTAL CONTRACTORS
 3000 Burns Ave Wantagh, NY 11793
 (516) 876-0020 Fax (516) 876-0021

December 12th, 2018

Hon. Lorraine Grillo
 Department of Design and Construction
 30-30 Thomson Avenue 4th Floor
 Long Island, City, New York 11101

Project: Demolition of DSNY Facilities at Gansevoort Peninsula
 Contract: S216-404A
 Contract Reg. No.: 20151416817
 RE: Notice of Delay Claim

Ms. Grillo:

Gramercy Group Inc. hereby makes this submission as our Notice of Claim to pursuant to New York City Dept. of Design & Construction (DDC) on the above contract as related to the final time extension letter dated November 7th, 2018.

Due to these above unforeseen circumstances, none of which were in Gramercy's control, the Gansevoort project was delayed six hundred thirty-six (636) consecutive calendar days, however actual duration of delays from contract end date to substantial completion is five hundred twenty (520) consecutive calendar days. This application for the claim of is based on the following:

1. Start of Work:

- a. Contract start date was March 23, 2015. DSNY did not vacate the premises and allow Gramercy to start work until June 24th, 2015. This work impacted ninety four (94) consecutive calendar days.
- b.

Subcontractor	Days of Delay	Subtotal
Streamline Security	94	\$ 29,635.13
Safety and Quality Plus Inc. - Safety	94	\$ 41,254.02
Vibranalysis - Vibration Monitoring	94	\$ 11,781.63
Bernstein Associates - Photographer	94	\$ 2,353.75
Cassone Leasing - Trailers	94	\$ 2,517.23
Mr. John - Trailer Bathroom Facilities	94	\$ 4,847.97
CallAHead - Security Booth	94	\$ 1,332.08
	Subtotal	\$ 93,721.83
	OH&P	\$ 22,024.63
	Total	\$ 115,746.45

2. MTS & Ramp Demolition Permit:

- a. The Army Corp of Engineers & Department of Environmental Conservation (DEC) Letters required to file the MTS building permit application were due from the owner on December 5 2015. Army Corp & DEC Letters were submitted on April 12th, 2016 from owner. This work impacted one hundred thirty (130) consecutive calendar days.

Subcontractor	Days of Delay	Subtotal
Streamline Security	130	\$ 40,984.76
Safety and Quality Plus Inc. - Safety	130	\$ 57,053.44
Vibranalysis - Vibration Monitoring	130	\$ 16,293.75
Bernstein Associates - Photographer	130	\$ 3,255.19
Cassone Leasing - Trailers	130	\$ 3,481.28
Mr. John - Trailer Bathroom Facilities	130	\$ 6,704.64
CallAHead - Security Booth	130	\$ 1,842.24
Subtotal		\$ 129,615.29
OH&P		\$ 30,459.59
Total		\$ 160,074.88

3. Electrical Cutoffs Entire Site:

- a. On April 9th, 2017 DDC sent a letter to Con Ed notifying Con Ed to undertake the electric disconnects to the Destructor Plant. Please be advised that Con Ed did not supply the disconnect letter to Liro until July 25, 2017.

The

forgone resulted in a one hundred eight (108) consecutive calendar day delay.

Subcontractor	Days of Delay	Subtotal
Streamline Security	108	\$ 34,048.87
Safety and Quality Plus Inc. - Safety	108	\$ 47,398.24
Vibranalysis - Vibration Monitoring	108	\$ 13,536.35
Bernstein Associates - Photographer	108	\$ 2,704.31
Cassone Leasing - Trailers	108	\$ 2,892.14
Mr. John - Trailer Bathroom Facilities	108	\$ 5,570.01
CallAHead - Security Booth	108	\$ 1,530.48
Subtotal		\$ 107,680.39
OH&P		\$ 25,304.89
Total		\$ 132,985.29

b. Friday August 11th, Gramercy received an email from Liro and Con Ed that the

transformers were clear to be removed. On Tuesday August 15th, Gramercy started to

remove the transformers at which time a live cable, which was unknown to Con Ed

was discovered and work had to stop, by the order of the FDNY.

Con Ed cut the live electrical cable August 22nd. A site meeting was held on August 29th with Con Edison to understand how the disconnect letter could be issued with a live feed remaining and to confirm that there were no other live feeds at the project so as to ensure that the site was safe. The foregoing resulted in a fifteen (15) consecutive day delay.

Subcontractor	Days of Delay	Subtotal
Streamline Security	15	\$ 4,729.01
Safety and Quality Plus Inc. - Safety	15	\$ 6,583.09
Vibranalysis - Vibration Monitoring	15	\$ 1,880.05
Bernstein Associates - Photographer	15	\$ 375.60
Cassone Leasing - Trailers	15	\$ 401.69
Mr. John - Trailer Bathroom Facilities	15	\$ 773.61
CallAHead - Security Booth	15	\$ 212.57
	Subtotal	\$ 14,955.61
	OH&P	\$ 3,514.57
	Total	\$ 18,470.18

4. FDNY Demo Destructor Plant Stop of Work:

Gramercy obtained approved demolition plans from DOB September 2015 in which the BEST SQUAD directed Gramercy to close the north entrance as a result of the Building Code requirements, in that, the destructor plant's close proximity to the north entrance required the north entrance to be closed in order to comply with the height to length ratio required by the New York City Building Code (3306.2.1).

The approved plans were reviewed August 7, 2017, once again, with the DDC, Liro, FDNY, Gramercy, as well as the Secret Service and Homeland Security, at which time the closure and demolition plan was discussed once again, without objection from any party.

The work to close the north entrance started on September 8th, 2017 and was stopped immediately by FDNY. Work was not allowed to begin again until September 25th, 2017. This work impacted eighteen (18) consecutive calendar days.

Streamline Security	18	\$ 5,674.81
Safety and Quality Plus Inc. - Safety	18	\$ 7,899.71
Vibranalysis - Vibration Monitoring	18	\$ 2,256.06
Bernstein Associates - Photographer	18	\$ 450.72
Cassone Leasing - Trailers	18	\$ 482.02
Mr. John - Trailer Bathroom Facilities	18	\$ 928.33
CallAHead - Security Booth	18	\$ 255.08
Subtotal		\$ 17,946.73
OH&P		\$ 4,217.48
Total		\$ 22,164.21

5. HRPT Sand Backfill Approval:

Gramercy obtained approved sand from one facility approved by HRPT in October 2016 that was located in East Quogue, NY. Sand from multiple other facilities were submitted which included material that was very similar to the approved material, but that as well as all other proposed sand facilities were rejected. When the material was ultimately requested previously approved facility indicated at most, it could provide only one load of sand per day, if it could provide it at all. This would have delayed the project at least seven months. In the interim, another facility was submitted to DDC and approved, however, the process delayed the work seventy-one (71) consecutive calendar days.

Subcontractor	Days of Delay	Subtotal
Streamline Security	71	\$ 22,383.98
Safety and Quality Plus Inc. - Safety	71	\$ 31,159.95
Vibranalysis - Vibration Monitoring	71	\$ 8,898.89
Bernstein Associates - Photographer	71	\$ 1,777.83
Cassone Leasing - Trailers	71	\$ 1,901.31
Mr. John - Trailer Bathroom Facilities	71	\$ 3,661.76
CallAHead - Security Booth	71	\$ 1,006.15
Subtotal		\$ 70,789.89
OH&P		\$ 16,635.62
Total		\$ 87,425.51

6. Unknown underground Fuel Tanks

Gramercy was removing soil from the south side destructor plant area on May 10th, 2018 when two previously unknown concrete encased tanks approximately 10,000 gallons each were discovered. The tanks required the following additional work items:

- Expose the tanks and remove concrete encasement
- Remove product from tanks (both of them were completely fulfilled with fuel)
- Register Tanks with DEC
- Remove Tanks
- End point soil samples underneath tanks for any leaks and testing of same
- Soil Remediation of contaminated soil due to leaks in tanks
- Excavation of surrounding area to a point where soil appeared seemed clean for re-testing
- Dewatering and filtering of ground water during excavation
- Redo end point soil sampling
- Backfill area
- Tank Closure report sent to DEC

The total time spent on this item was eighty four (84) consecutive calendar days

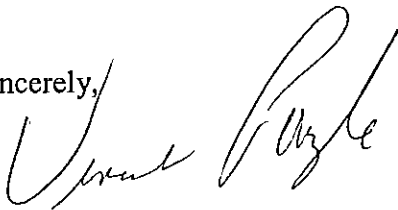
Subcontractor	Days of Delay	Subtotal
Streamline Security	84	\$ 26,482.46
Safety and Quality Plus Inc. - Safety	84	\$ 36,865.30
Vibranalysis - Vibration Monitoring	84	\$ 10,528.27
Bernstein Associates - Photographer	84	\$ 2,103.35
Cassone Leasing - Trailers	84	\$ 2,249.44
Mr. John - Trailer Bathroom Facilities	84	\$ 4,332.23
CallAHead - Security Booth	84	\$ 1,190.37
	Subtotal	\$ 83,751.42
	OH&P	\$ 19,681.58
	Total	\$ 103,433.00

Cost Impact of Delay Combined

Subcontractor	Total Duration	Subtotal
Streamline Security	520	\$ 163,939.02
Safety and Quality Plus Inc. - Safety	520	\$ 228,213.75
Vibranalysis - Vibration Monitoring	520	\$ 65,175.00
Bernstein Associates - Photographer	520	\$ 13,020.75
Cassone Leasing - Trailers	520	\$ 13,925.11
Mr. John - Trailer Bathroom Facilities	520	\$ 26,818.56
CallAHead - Security Booth	520	\$ 7,368.97
Subtotal		\$ 518,461.16
OH&P		\$ 121,838.37
Total		\$ 640,299.53

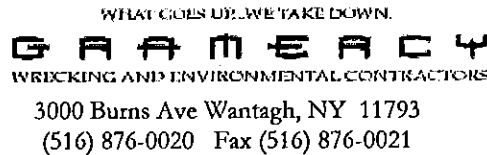
*see attached invoices as back-up

Sincerely,



Vincent Parziale
President/CEO
Gramercy Group, Inc.

WHAT GOES UP...WE TAKE DOWN



BILL OF PARTICULARS

The following items below list the delays on the Gansevoort Project. Due to these above unforeseen circumstances, none of which were in Gramercy's control, the Gansevoort project was delayed six hundred thirty-six (636) consecutive calendar days, however actual duration of delays from contract end date to substantial completion is five hundred twenty (520) consecutive calendar days.

1. Start of Work:
 - a. Contract start date was March 23, 2015. DSNY did not vacate the premises and allow Gramercy to start work until December 16th, 2015. This work impacted two hundred sixty-nine (269) consecutive calendar days.
2. Gas Utility Cutoffs M5 Garage:
 - a. Utility cutoffs were to be performed for the M5 Garage on July 14th, 2015. DSNY did not turn over the gas utilities to Gramercy to obtain utility cutoffs until February 10th, 2016. This work impacted two hundred twelve (212) consecutive calendar days, part of which ran concurrent with the delay set forth in paragraph 1
3. Gas Utility Cutoffs Entire Site:
 - a. Gas utility cutoffs were to be performed by November 5, 2015. Con Ed gas shutoff wasn't until April 16th, 2016. This work impacted one hundred sixty-three (163) consecutive calendar days, part of which ran concurrent with the delays set forth in paragraphs 1 & 2.
4. MTS & Ramp Demolition Permit:
 - a. The Army Corp of Engineers & Department of Environmental Conservation (DEC) Letters required to file the MTS building permit application were due from the owner on December 5 2015. Army Corp & DEC Letters were submitted on April 13th, 2016 from owner. This work impacted one hundred thirty (130) consecutive calendar days, part of which ran concurrent with the delays set forth in paragraphs 1, 2 & 3.

5 - Electrical Cutoffs Entire Site:

- a. On February 22nd, 2017 DDC sent a letter to Con Ed notifying Con Ed to undertake the electric disconnects on March 17, 2017 to the Destructor Plant. Please be advised that Con Ed did not supply the disconnect letter to Liro until July 25, 2017. The forgone resulted in a 130 day delay)
- b. On Monday July 17th, in preparation for the continued demolition at the site, DDC and Liro directed Gramercy to remove the transformers from the Con Edison vault as they have been drained of PCB's. Gramercy contacted Con Edison for information regarding the weight of the transformer. Gramercy was advised by Con Ed that the transformers could still have PCB's and therefore could not be removed and as a result work could not proceed until further notified.

Friday August 11th, Gramercy received an email from Liro and Con Ed that the transformers were clear to be removed. On Tuesday August 15th, Gramercy started to remove the transformers at which time a live cable, which was unknown to Con Ed was discovered and work had to stop, by the order of the FDNY.

Con Ed cut the live electrical cable August 22nd. A site meeting was held on August 29th with Con Edison to understand how the disconnect letter could be issued with a live feed remaining and to confirm that there were no other live feeds at the project so as to ensure that the site was safe. The foregone resulted in a 36 day delay.

Due to these above unforeseen circumstances set forth in 5(a) and (b), none of which were in Gramercy's control, the Gansevoort project has been delayed an additional one hundred sixty-six (166) consecutive calendar days.

6 - FDNY Demo Destructor Plant Stop of Work:

Gramercy obtained approved demolition plans from DOB September 2015 in which the BEST SQUAD directed Gramercy to close the north entrance as a result of the Building Code requirements, in that, the destructor plant's close proximity to the north entrance required the north entrance to be closed in order to comply with the height to length ratio required by the New York City Building Code (3306.2.1).

The approved plans were reviewed August 7, 2017, once again, with the DDC, Liro, FDNY, Gramercy, as well as the Secret Service and Homeland Security, at which time the closure and demolition plan was discussed once again, without objection from any party.

The work to close the north entrance started on September 8th, 2017 and was stopped immediately by FDNY. Work was not allowed to begin again until September 25th, 2017. This work impacted fifteen (15) consecutive calendar days.

7 - HRPT Sand Backfill Approval:

Gramercy obtained approved sand from one facility approved by HRPT in October 2016 that was located in East Quogue, NY. Sand from multiple other facilities were submitted which included material that was very similar to the approved material, but that as well as all other proposed sand facilities were rejected. When the material was ultimately requested previously approved facility indicated at most, it could provide only one load of sand per day, if it could provide it at all. This would have delayed the project at least seven months. In the interim, another facility was submitted to DDC and approved, however, the process delayed the work seventy-one (71) consecutive calendar days.

Thus, the total delay for this item is seventy-one (71) consecutive calendar days.

8- Unknown underground Fuel Tanks

Gramercy was removing soil from the south side destructor plant area when two previously unknown concrete encased tanks approximately 10,000 gallons each were discovered. The tanks required the following additional work items:

- Expose the tanks and remove concrete encasement
- Remove product from tanks (both of them were completely fulfilled with fuel)
- Register Tanks with DEC
- Remove Tanks
- End point soil samples underneath tanks for any leaks and testing of same
- Soil Remediation of contaminated soil due to leaks in tanks
- Excavation of surrounding area to a point where soil appeared seemed clean for re-testing
- Dewatering and filtering of ground water during excavation

- Redo end point soil sampling
- Backfill area
- Tank Closure report sent to DEC

The total time spent on this item was ninety-two (92) consecutive calendar days

Cost Impact of Delay

Subcontractor	Time Period	Subtotal
Streamline Security	3/21/17-8/23/18	\$ 163,939.02
Safety and Quality Plus Inc. - Safety	3/21/17-8/23/18	\$ 228,213.75
Vibranalysis - Vibration Monitoring	3/21/17-8/23/18	\$ 65,175.00
Bernstein Associates - Photographer	3/21/17-8/23/18	\$ 13,020.75
Cassone Leasing - Trailers	3/21/17-8/23/18	\$ 13,925.11
Mr. John - Trailer Bathroom Facilities	3/21/17-8/23/18	\$ 26,818.56
Call Ahead - Security Booth	3/21/17-8/23/18	\$ 7,368.97
Subtotal		\$ 518,461.16
OH&P		\$ 121,838.37
Total		\$ 640,299.53

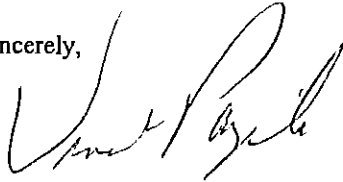
*See Attached invoices as back up

In connection with the application for extension of contract time for performance of Contract Registration Number (20151416817) we agree that neither the fact of the granting of the application for the extension of time, the papers or records on which it is granted, nor the application itself, shall be referred to or offered in evidence by the undersigned or their attorneys in any action or proceeding between them and the City; the granting of such extension of time shall not be asserted or claimed by us or our attorneys, to be or to be any evidence of, any

admission on the part of the City that any of the facts stated in said application for extension of time are true, or as constituting any evidence of their truth.

We hereby represent and warrant, in consideration of the Board of Extension of Contract Time considering our application for an extension of time, that we have no other claims in connection with the contract, other than those stated in this sworn statement, and we further represent and warrant, we will not assert any other claims against the City of New York, in connection with this contract; except we do not waive any additional and/or new claim and/or additional damages related to previously asserted claims that occur subsequent to the date of this application for final extension of time.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent Parziale", written in a cursive style.

Vincent Parziale
President/CEO
Gramercy Group, Inc.



**Department of
Design and
Construction**

Lorraine Grillo
Commissioner

Jamie Torres-Springer
First Deputy Commissioner

Jean M. Jean-Louis
LEED AP BD+C, ENV SP
Assistant Commissioner
Safety and Site Support

January 11, 2019

Notice of Delay

Vincent Parziale
Gramercy Group Inc.
3000 Burns Avenue
Wantagh, NY 11793

FMS ID: S216-404A
Comptroller's Registration No. 20151416817
Project Name: Gansevoort Marine Transfer Station Demolition
Date of Notice: December 12, 2018
Claim for Delay Damages Pursuant to Article 11

Dear Vincent Parziale:

Reference is made to your claim(s) for delay damages pursuant to Article 11 of the above referenced contract. DDC has reviewed your written submissions and upon consideration of the complex issues raised, we have concluded that a determination cannot be reached by the agency within sixty days. Therefore, your delay claim or claims are hereby denied.

If you wish to pursue this matter further you may file a Notice of Claim with the NYC Comptroller. Additionally, you are advised to consult your contract concerning time limitations and notice requirements.

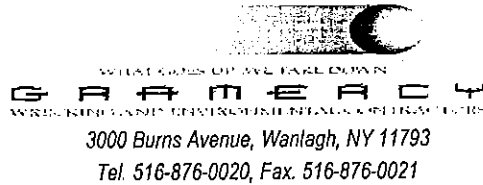
Sincerely,

A handwritten signature in black ink, appearing to read "Jean M. Jean-Louis". To the right of the signature, the date "01/11/19" is handwritten.

Jean M. Jean-Louis, LEED AP BD + C, ENV SP, CIAQM
Assistant Commissioner
Safety & Site Support

Copy: Lorraine Grillo – Commissioner
David Varoli – Legal

C-Track No.:42818



LETTER OF TRANSMITTAL

To: NYC Dept. of Design & Construction
30-30 Thomson Avenue
L.I.C., NY 11101
Attn: Ms. Maria Mistretta
4th Flr; Station #065

Project: Gansevoort Peninsula, Manhattan
Contract No. : S216-404A, PIN: 8502014TR0003C

Date: March 20, 2019

Transmittal No.: 67

Re: Time Extension Letter

We are Forwarding to You: X Attached Under Separate Cover

The Following Item: _____
(Plans, Shop Drawings, Reports, Samples, Other)

Via: UPS
(Hand Delivery, US Mail, FedEx, Other)

[illegible]

Transmitted:

Transmitted by:

	For Your Information Only
<u>X</u>	For Your Approval
<u>X</u>	For Your Use

March 20, 2019
Date

Remarks:

Thank you.

CC:
file

Received by:

Print Name:

Date _____



March 19th, 2019

Hon. Lorraine Grillo
Department of Design and Construction
30-30 Thomson Avenue 4th Floor
Long Island, City, New York 11101

Project: Demolition of DSNY Facilities at Gansevoort Peninsula
Contract: S216-404A
Contract Reg. No.: 20151416817

Ms. Grillo:

We hereby request an extension of contract time on the above contract from August 22, 2018 to August 23, 2018, a total of 1 calendar day. This application for an extension of time is based on the following: Completion of change order work

Attached hereto is a Bill of Particulars setting forth claims, which we intend to assert under the terms of the contract.

In consideration of the granting, for the purpose of expediting payment, by Board of Extension of Contract Time, of an extension of contract time fixed in Contract Registration Number **20151416817** for the completion of work therein specified, we agree to and do hereby waive and release any and all claims, including but not limited to damages for delay or any other cause whatsoever, which we may have against The City of New York, in connection with the aforesaid contract, except the items of claim which are hereby reserved and are set forth in the annexed Bill of Particulars

It is understood that the City of New York does not, if the extension of time is granted, waive or release any claim it may have against the contractor whether it be for actual or liquidated damages for any reason whatsoever.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vincent Parziale', is written over a large, stylized 'V' that serves as a background for the signature.

Vincent Parziale
President/CEO
Gramercy Group, Inc.



WHAT GOES UP, WE TAKE DOWN

GRAMERCY
WRITING AND ENVIRONMENTAL CONTRACTORS3000 Burns Ave Wantagh, NY 11793
(516) 876-0020 Fax (516) 876-0021**BILL OF PARTICULARS**

The following items below list the delays on the Gansevoort Project. Due to these above unforeseen circumstances, none of which were in Gramercy's control, the Gansevoort project was delayed six hundred thirty-six (636) consecutive calendar days, however actual duration of delays from contract end date to substantial completion is five hundred twenty (520) consecutive calendar days. Based upon the foregoing, below is monetary claim that Gramercy Group, Inc. ("Gramercy") seeks to recover on account of that delay.

1. General Conditions after March 21, 2017:

- a. Contract extension date was March 21, 2017. General Conditions continued until the substantial completion date of August 23rd, 2018. This work impacted three hundred seventeen (317) consecutive calendar days, and is more fully set forth in the specific items broken out in detail below.

Subcontractor	Days of Delay	Subtotal
Streamline Security	317	\$ 99,939.75
Safety and Quality Plus Inc. - Safety	317	\$ 139,122.61
Vibranalysis - Vibration Monitoring	317	\$ 39,731.68
Bernstein Associates - Photographer	317	\$ 7,937.65
Cassone Leasing - Trailers	317	\$ 8,488.96
Mr. John - Trailer Bathroom Facilities	317	\$ 16,349.01
CallAHead - Security Booth	317	\$ 4,492.24
	Subtotal	\$ 316,061.90
	OH&P	\$ 74,274.55
	Total	\$ 390,336.45

2. Electrical Cutoffs Entire Site:

- a. On April 9th, 2017 the Department of Design and Construction ("DDC") sent a letter to Con Ed notifying Con Edison ("Con Ed") to undertake the electric disconnects to the Destructor Plant. Please be advised that Con Ed did not supply the disconnect letter to Liro until July 25, 2017. The forgone resulted in a one hundred eight (108) consecutive calendar day delay.

Subcontractor	Days of Delay	Subtotal
Streamline Security	108	\$ 34,048.87
Safety and Quality Plus Inc. - Safety	108	\$ 47,398.24
Vibranalysis - Vibration Monitoring	108	\$ 13,536.35
Bernstein Associates - Photographer	108	\$ 2,704.31
Cassone Leasing - Trailers	108	\$ 2,892.14
Mr. John - Trailer Bathroom Facilities	108	\$ 5,570.01
CallAHead - Security Booth	108	\$ 1,530.48
	Subtotal	\$ 107,680.39
	OH&P	\$ 25,304.89
	Total	\$ 132,985.29

- b. Friday August 11th, Gramercy received an email from Liro and Con Ed that the transformers were clear to be removed. On Tuesday August 15th, Gramercy started to remove the transformers at which time a live cable, which was unknown to Con Ed, was discovered and by order of the Fire Department of the City of New York ("FDNY") work was stopped.

Con Ed cut the live electrical cable August 22nd. A site meeting was held on August 29th with Con Ed to understand how the disconnect letter could be issued with a live feed remaining and to confirm that there were no other live feeds at the Project so as to ensure that the site was safe. The forgoing resulted in a fifteen (15) consecutive day delay.

Subcontractor	Days of Delay	Subtotal
Streamline Security	15	\$ 4,729.01
Safety and Quality Plus Inc. - Safety	15	\$ 6,583.09
Vibranalysis - Vibration Monitoring	15	\$ 1,880.05
Bernstein Associates - Photographer	15	\$ 375.60
Cassone Leasing - Trailers	15	\$ 401.69
Mr. John - Trailer Bathroom Facilities	15	\$ 773.61
CallAHead - Security Booth	15	\$ 212.57
	Subtotal	\$ 14,955.61
	OH&P	\$ 3,514.57
	Total	\$ 18,470.18

3. FDNY Demo Destructor Plant Stop of Work:

Gramercy obtained approved demolition plans from DOB September 2015 in which the BEST SQUAD directed Gramercy to close the north entrance to comply with Building Code requirements. More specifically, the destructor plant's close proximity to the north entrance required the north entrance to be closed in order to comply with the height to length ratio required by the New York City Building Code (§3306.2.1).

The approved plans were reviewed once again with the DDC, Liro, FDNY, Gramercy, as well as the Secret Service and Homeland Security on August 7th 2017, at which time the closure and demolition plan again was discussed without objection from any party.

The work to close the north entrance started on September 8th, 2017 and was stopped immediately by FDNY. Work was not allowed to begin again until September 25th, 2017. This work impacted eighteen (18) consecutive calendar days.

Streamline Security	18	\$ 5,674.81
Safety and Quality Plus Inc. - Safety	18	\$ 7,899.71
Vibranalysis - Vibration Monitoring	18	\$ 2,256.06
Bernstein Associates - Photographer	18	\$ 450.72
Cassone Leasing - Trailers	18	\$ 482.02
Mr. John - Trailer Bathroom Facilities	18	\$ 928.33
CallAHead - Security Booth	18	\$ 255.08
Subtotal		\$ 17,946.73
OH&P		\$ 4,217.48
Total		\$ 22,164.21

4. HRPT Sand Backfill Approval:

Gramercy obtained approved sand from one facility approved by HRPT in October 2016 that was located in East Quogue, NY. Sand from multiple other facilities were submitted which included material that was very similar to the approved material, but that as well as all other proposed sand facilities were rejected. When the material was ultimately requested previously approved facility indicated at most, it could provide only one load of sand per day, if it could provide it at all. This would have delayed the project at least seven months. In the interim, another facility was submitted to DDC and approved on February 1st, 2018 and approved April 12th, 2018, however, the process delayed the work seventy-one (71) consecutive calendar days.

Subcontractor	Days of Delay	Subtotal
Streamline Security	71	\$ 22,383.98
Safety and Quality Plus Inc. - Safety	71	\$ 31,159.95
Vibranalysis - Vibration Monitoring	71	\$ 8,898.89
Bernstein Associates - Photographer	71	\$ 1,777.83
Cassone Leasing - Trailers	71	\$ 1,901.31
Mr. John - Trailer Bathroom Facilities	71	\$ 3,661.76
CallAHead - Security Booth	71	\$ 1,006.15
	Subtotal	\$ 70,789.89
	OH&P	\$ 16,635.62
	Total	\$ 87,425.51

5. Unknown underground Fuel Tanks

Gramercy was removing soil from the south side destructor plant area on May 10th, 2018 when two previously unknown concrete encased tanks approximately 10,000 gallons each were discovered. The tanks required the following additional work items:

- Expose the tanks and remove concrete encasement
- Remove product from tanks (both of them were completely fulfilled with fuel)
- Register Tanks with DEC
- Remove Tanks
- End point soil samples underneath tanks for any leaks and testing of same
- Soil Remediation of contaminated soil due to leaks in tanks
- Excavation of surrounding area to a point where soil appeared seemed clean for re-testing
- Dewatering and filtering of ground water during excavation
- Redo end point soil sampling
- Backfill area
- Tank Closure report sent to DEC

This work finished August 2nd, 2018. The total time spent on this item was eighty-four (84) consecutive calendar days.

Subcontractor	Days of Delay	Subtotal
Streamline Security	84	\$ 26,482.46
Safety and Quality Plus Inc. - Safety	84	\$ 36,865.30
Vibranalysis - Vibration Monitoring	84	\$ 10,528.27
Bernstein Associates - Photographer	84	\$ 2,103.35
Cassone Leasing - Trailers	84	\$ 2,249.44
Mr. John - Trailer Bathroom Facilities	84	\$ 4,332.23
CallAHead - Security Booth	84	\$ 1,190.37
	Subtotal	\$ 83,751.42
	OH&P	\$ 19,681.58
	Total	\$ 103,433.00

6. Balance of work to complete after underground fuel tanks

Once the tank work was completed as detailed in item 5 on August 2nd, 2018, the balance of the contract work in that area needed to be completed which took until substantial completion.

This work finished August 23rd, 2018. The total time spent on this item was twenty-one (21) consecutive calendar days

Subcontractor	Days of Delay	Subtotal
Streamline Security	21	\$ 6,620.61
Safety and Quality Plus Inc. - Safety	21	\$ 9,216.32
Vibranalysis - Vibration Monitoring	21	\$ 2,632.07
Bernstein Associates - Photographer	21	\$ 525.84
Cassone Leasing - Trailers	21	\$ 562.36
Mr. John - Trailer Bathroom Facilities	21	\$ 1,083.06
CallAHead - Security Booth	21	\$ 297.59
	Subtotal	\$ 20,937.85
	OH&P	\$ 4,920.40
	Total	\$ 25,858.25

*See Attached invoices as back up

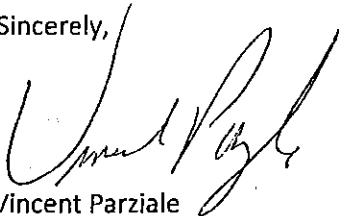
Total monetary claim \$390,336.45.

In connection with the application for extension of contract time for performance of Contract Registration Number (20151416817) we agree that neither the fact of the granting of the

application for the extension of time, the papers or records on which it is granted, nor the application itself, shall be referred to or offered in evidence by the undersigned or their attorneys in any action or proceeding between them and the City; the granting of such extension of time shall not be asserted or claimed by us or our attorneys, to be or to be any evidence of, any admission on the part of the City that any of the facts stated in said application for extension of time are true, or as constituting any evidence of their truth.

We hereby represent and warrant, in consideration of the Board of Extension of Contract Time considering our application for an extension of time, that we have no other claims in connection with the contract, other than those stated in this sworn statement, and we further represent and warrant, we will not assert any other claims against the City of New York, in connection with this contract; except we do not waive any additional and/or new claim and/or additional damages related to previously asserted claims that occur subsequent to the date of this application for final extension of time.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent Parziale", written over a horizontal line.

Vincent Parziale
President/CEO
Gramercy Group, Inc.

WHAT GOES UP...WE TAKE DOWN

AFFIDAVIT OF SERVICE

State of New York

County of New York

Index Number: -

Date Filed: _____

**PROJECT: DEMOLITION OF DSNY FACILITIES AT GANSEVOORT
PENINSULA CONTRACT: S216-404A, CONTRACT REG. NO.:
20151416817, RE: NOTICE OF CLAIM--DELAY**

Received these papers to be served on **New York City Comptroller, 1 Division Of Law, 1 Centre Street,
1225 South, New York, NY 10007.**

I, John F. Barry, being duly sworn, depose and say that on the **3rd day of April, 2019 at 11:26 am, I:**

served a **GOVERNMENT AGENCY** by delivering a true copy of the **Notice of Claim** with the date and hour of service endorsed thereon by me, to: **Deborah Hope, Clerk, as Authorized Agent for New York City Comptroller**, and informed said person of the contents therein, in compliance with State Statutes.

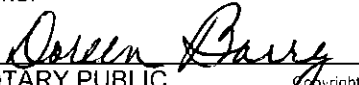
Description of Person Served: Age: 50, Sex: F, Race/Skin Color: Black, Height: Seatd, Weight: 170, Hair: Dark Brown, Glasses: Y

THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN AND RESIDES IN THE STATE OF NEW YORK.

Subscribed and Sworn to before me on the 3rd day of April, 2019 by the affiant who is personally known to me.


John F. Barry

Our Job Serial Number: PRP-2019000170


NOTARY PUBLIC

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DOREEN BARRY

Notary Public, State of New York

No. 01BA6213586

Qualified in Nassau County

Commission Expires Nov. 9, 20 21

AFFIDAVIT OF SERVICE

State of New York

County of New York

Index Number: -

Date Filed: _____

**PROJECT: DEMOLITION OF DSNY FACILITIES AT GANSEVOORT
PENINSULA CONTRACT: S216-404A, CONTRACT REG. NO.:
20151416817, RE: NOTICE OF CLAIM--DELAY**

Received these papers to be served on **New York City Corporation Counsel, 100 Church Street, New York, NY 10007.**

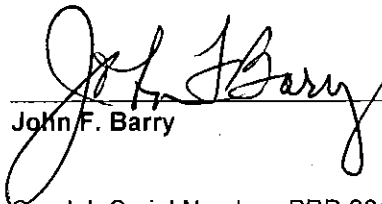
I, John F. Barry, being duly sworn, depose and say that on the **3rd day of April, 2019 at 11:42 am, I:**

served a **GOVERNMENT AGENCY** by delivering a true copy of the **Notice of Claim** with the date and hour of service endorsed thereon by me, to: **Betty Mazyck, Clerk, as Authorized Agent for New York City Corporation Counsel**, and informed said person of the contents therein, in compliance with State Statutes.

Description of Person Served: Age: 50, Sex: F, Race/Skin Color: Black, Height: Seatd, Weight: 180, Hair: Salt & Pepper, Glasses: N

THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN AND RESIDES IN THE STATE OF NEW YORK.

Subscribed and Sworn to before me on the 3rd day of April, 2019 by the affiant who is personally known to me.


John F. Barry

Our Job Serial Number: PRP-2019000171


NOTARY PUBLIC

DOREEN BARRY
Notary Public, State of New York
No. 01BA6213586
Qualified in Nassau County
Commission Expires Nov. 9, 2021

AFFIDAVIT OF SERVICE

State of New York

County of New York

Index Number: -

Date Filed: _____

**PROJECT: DEMOLITION OF DSNY FACILITIES AT GANSEVOORT
PENINSULA CONTRACT: S216-404A, CONTRACT REG. NO.:
20151416817, RE: NOTICE OF CLAIM--DELAY**

Received these papers to be served on **Commissioner of The Department of Design and Construction, 30-30 Thompson Avenue, 4th Floor, Long Island City, NY 11101.**

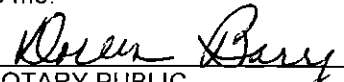
I, John F. Barry, being duly sworn, depose and say that on the **3rd day of April, 2019 at 10:36 am, I:**

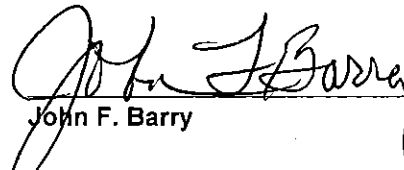
served a **GOVERNMENT AGENCY** by delivering a true copy of the **Notice of Claim** with the date and hour of service endorsed thereon by me, to: **Candace Chung, Assistant General Counsel, as Authorized Agent for Commissioner of The Department of Design and Construction**, and informed said person of the contents therein, in compliance with State Statutes.

Description of Person Served: Age: 35, Sex: F, Race/Skin Color: Asian, Height: 5'6", Weight: 140, Hair: Black, Glasses: N

THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN AND RESIDES IN THE STATE OF NEW YORK.

Subscribed and Sworn to before me on the 3rd day of April, 2019 by the affiant who is personally known to me.


NOTARY PUBLIC


John F. Barry

Our Job Serial Number: PRP-2019000172

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DOREEN BARRY
Notary Public, State of New York
No. 01BA6213586
Qualified In Nassau County 21
Commission Expires Nov. 9, 2021